

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

K.MIZRA LLC,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

Civil Action No. 6:20-CV-01031-ADA

JURY TRIAL DEMANDED

JOINT NOTICE OF FOURTH PROPOSED AMENDMENT OF SCHEDULING ORDER

Plaintiff K.Mizra LLC and Defendant Cisco Systems, Inc. (collectively, “the Parties”) respectfully submit this notice of their fourth proposed amendment of certain dates set forth in the Parties’ Joint Notice of Third Proposed Amendment of Scheduling Order filed on May 12, 2023 (*see* ECF No. 104). Specifically, the Parties have agreed upon a five-day extension of time for the filing of *Daubert* motions as to Mr. Mike Pellegrino *only*. All other dispositive motions and *Daubert* motions shall be filed on or before June 9, 2023 (*see* ECF No. 104).¹ The deadlines to file responses and replies to *Daubert* motions will not be changed.

The Parties note that the current dates for the joint pretrial order and pretrial submissions, the final pretrial conference, and trial (*see* ECF Nos. 76, 83, 102, and 104) will not be affected by the Parties’ proposed amended schedule. For the Court’s convenience, a comparison of the current dates and the Parties’ proposed dates are set forth in the following chart:

¹ The Parties previously agreed to extend the deadline to file *Daubert* motions as to Ms. Ambreen Salters up to and including June 14, 2023 (*see* ECF No. 104).

| Event | Current Deadline | Parties' Proposed Date |
|--|-------------------------|-------------------------------|
| Dispositive motion deadline and <i>Daubert</i> motion deadline. | June 9, 2023 | No Change |
| Dispositive motion deadline and <i>Daubert</i> motion deadline as to Mr. Mike Pellegrino <i>only</i> . | June 9, 2023 | June 14, 2023 |
| Dispositive motion deadline and <i>Daubert</i> motion deadline as to Ms. Ambreen Salters <i>only</i> . | June 14, 2023 | No Change |
| Deadline to file Response to Daubert motions. | June 23, 2023 | No Change |
| Deadline to file Response to Dispositive Motions. | June 23, 2023 | No Change |
| Deadline to file Replies to Responses to Dispositive motions | June 30, 2023 | No Change |
| Deadline to file Replies to Responses to Daubert motions. | June 30, 2023 | No Change |
| Serve Pretrial Disclosures (jury instructions, exhibit lists, witness lists, discovery, and deposition designations). | June 16, 2023 | No Change |
| Serve objections to pretrial disclosures/rebuttal disclosures. | June 30, 2023 | No Change |
| Serve objections to rebuttal disclosures and file motions <i>in limine</i> . | July 14, 2023 | No Change |
| File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibit lists, witness lists, discovery and deposition designations). | July 14, 2023 | No Change |
| File oppositions to motions <i>in limine</i> . | July 21, 2023 | No Change |
| File reply briefs to motions <i>in limine</i> . | July 28, 2023 | No Change |
| Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> . | July 25, 2023 | No Change |
| File Joint Notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> . | July 28, 2023 | No Change |
| Final Pretrial Conference. | August 1, 2023 | No Change |
| Jury Selection/Trial. | August 14, 2023 | No Change |

Accordingly, the Parties respectfully request that the Court enter the Amended Scheduling Order as set forth in the above chart.

Dated: June 6, 2023

By: /s/ Patricia Y. Ho

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on June 6, 2023, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Melissa R. Smith

Melissa R. Smith